

MINUTE ITEM

29. CONSIDERATION OF SUBSIDENCE COST PROJECTS, LONG BEACH - ADDITIONAL COSTS TO L.B.W.O. 10,092.

After consideration of Calendar Item 51 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE COMMISSION CONDITIONALLY APPROVES THE TOWN LOT AREA PROJECT AS A SUBSIDENCE PROJECT AND THE COSTS EXPECTED TO BE EXPENDED THEREUNDER FOR CONSTRUCTION OF A WASTE WATER OIL SEPARATOR FOR THE PERIOD OCTOBER 5, 1959 TO JUNE 30, 1960, AS SHOWN ON EXHIBIT "A" ATTACHED AND HEREBY MADE A PART HEREOF, SUBJECT TO THE CONDITION, HOWEVER, THAT THE AMOUNT, IF ANY, OF SUCH COSTS TO BE ALLOWED ULTIMATELY AS SUBSIDENCE COSTS DEDUCTIBLE UNDER SECTION 5(a) OF CHAPTER 29, STATUTES OF 1956, 1ST E.S., WILL BE DETERMINED BY THE COMMISSION UPON AN ENGINEERING REVIEW AND FINAL AUDIT SUBSEQUENT TO THE TIME WHEN THE ITEMS OF WORK HAVE BEEN COMPLETED; AND THAT THE WORK CONFORM IN ESSENTIAL DETAILS TO THE PLANS AND BACKGROUND MATERIAL HERETOFORE SUBMITTED TO THE COMMISSION; PROVIDED THAT NO ESTIMATE SHALL BE PRESENTLY MADE OF THE AMOUNT OF SUBSIDENCE DEDUCTION ULTIMATELY TO BE ALLOWED BY VIRTUE OF SAID WORK; FURTHER, THE CITY OF LONG BEACH IS NOT AUTHORIZED TO WITHHOLD FROM REVENUES DUE THE STATE ANY PORTIONS OF THE COSTS OF THE TOWN LOT PROJECT UNTIL COMMISSION APPROVAL HAS BEEN HAD; FINALLY, THE EXECUTIVE OFFICER, THE ASSISTANT EXECUTIVE OFFICER, OR THE SUPERVISING MINERAL RESOURCES ENGINEER ARE AUTHORIZED TO EXECUTE APPROPRIATE WRITTEN INSTRUMENTS REFLECTING THE COMMISSION'S CONDITIONAL APPROVAL.

Attachment

Calendar Item 51 (2 pages)

CALENDAR ITEM

51.

CONSIDERATION OF SUBSIDENCE COST PROJECTS, LONG BEACH - ADDITIONAL COSTS to L.B.W.O. 10,092.

On June 25, 1959 (Minute Item 23, pages 4964-4968), the Commission conditionally approved the costs to be expended in the 1959-60 Fiscal Year by the Harbor Department of the City of Long Beach, including subsidence remedial work for the Town Lot area project. Subsequent to the above-mentioned approval, it developed that additional expenditures will be incurred by the Harbor Department. These costs will cover construction of a waste water oil separator at the Kern Place pump station.

At the meeting of the Commission on March 25, 1959, the Chairman of the Commission directed that the opinion of the Attorney General be obtained as to the establishment of the principles of costs deductions by the City of Long Beach and for State participation in any enhanced values of properties acquired by the City with the aid of subsidence deduction.

Pending receipt of the opinion of the Attorney General, it is felt desirable that conditional approvals be continued.

IT IS RECOMMENDED THAT THE COMMISSION CONDITIONALLY APPROVE THE TOWN LOT AREA PROJECT AS A SUBSIDENCE PROJECT AND THE COSTS EXPECTED TO BE EXPENDED THEREUNDER FOR CONSTRUCTION OF A WASTE WATER OIL SEPARATOR FOR THE PERIOD OCTOBER 5, 1959 TO JUNE 30, 1960, AS SHOWN ON EXHIBIT "A" ATTACHED AND HEREBY MADE A PART HEREOF, SUBJECT TO THE CONDITION, HOWEVER, THAT THE AMOUNT, IF ANY, OF SUCH COSTS TO BE ALLOWED ULTIMATELY AS SUBSIDENCE COSTS DEDUCTIBLE UNDER SECTION 5(a) OF CHAPTER 29, STATUTES OF 1956, 1ST E.S., WILL BE DETERMINED BY THE COMMISSION UPON AN ENGINEERING REVIEW AND FINAL AUDIT SUBSEQUENT TO THE TIME WHEN THE ITEMS OF WORK HAVE BEEN COMPLETED; AND THAT THE WORK CONFORM IN ESSENTIAL DETAILS TO THE PLANS AND BACKGROUND MATERIAL HERETOFORE SUBMITTED TO THE COMMISSION; PROVIDED THAT NO ESTIMATE SHALL BE PRESENTLY MADE OF THE AMOUNT OF SUBSIDENCE DEDUCTION ULTIMATELY TO BE ALLOWED BY VIRTUE OF SAID WORK; FURTHER, THE CITY OF LONG BEACH IS NOT AUTHORIZED TO WITHHOLD FROM REVENUES DUE THE STATE ANY PORTIONS OF THE COSTS OF THE TOWN LOT PROJECT UNTIL COMMISSION APPROVAL HAS BEEN HAD; FINALLY, THAT THE EXECUTIVE OFFICER, THE ASSISTANT EXECUTIVE OFFICER, OR THE SUPERVISING MINERAL RESOURCES ENGINEER BE AUTHORIZED TO EXECUTE APPROPRIATE WRITTEN INSTRUMENTS REFLECTING THE COMMISSION'S CONDITIONAL APPROVAL.

Attachment  
Exhibit "A"

EXHIBIT "A"

LONG BEACH WORK ORDER NO. 10,092 - ADDITION 110.3 to Project and Estimate  
Submitted by the Port of Long Beach, TOWN LOT.

<u>ITEM</u>	<u>AFE</u>	<u>WORK PROPOSED</u>	LBHD ESTIMATED SUB-PROJECT EXPENDITURE <u>OCTOBER 5, 1959</u> <u>TO JUNE 30, 1960</u>	<u>ESTIMATED</u> <u>SUBSIDENCE</u> <u>COST</u>
1	*	Kern Place Pump Station Waste Water Oil Separator ("2nd Phase")	\$8,500	**

\* - AFE No. to be assigned.

\*\* - Subject to later determination by the State Lands Commission

Note:

1. The term "1st Phase" consists of costs of preliminary work expended subsequent to review of preliminary plans and/or other adequate description. (Typical "1st Phase" costs are engineering design, contract administration and advertising, preparation of site by Harbor Department forces.) For work within the same approved time period, any excess of "1st Phase" approved costs over actual expenditures may be added to "2nd Phase" approvals after date of "2nd Phase" approvals.
2. The term "2nd Phase" consists of additional costs approved subsequent to review of detail construction plans and/or other data sufficient to guide construction operations.